

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

Bail Appl..No. 2876 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.2307/2007
CP.20/1999 of J.M.F.C.,OTTAPPALAM
CRIME NO.34/98 OF SHORNUR POLICE STATION
.....

: PETITIONER/4TH ACCUSED

BABY @ RAMAKRISHNAN, S/O.KRISHNANKUTTY,
CHARAPARAMBIL HOUSE, KANNAYAM, PALAKKAD DISTRICT.

BY ADV. SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM REPRESENTING THE C.I. OF POLICE,
OTTAPALAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24 /05/2007 , THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

.....
B.A. No. 2876 OF 2007
.....

Dated this the 24th day of May, 2007

O R D E R

Petitioner, who is the 4th accused in Crime No.34/98 of Shornur Police Station for offences punishable under Secs.143, 147, 148, 341, 324, 333 and 307 read with sec.149 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.P. No.20/99 on the file of the J.F.C.M., Ottapalam, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after considering his contention that the co-accused in the case have been acquitted after trial.

With the above observation this application is disposed of .

(V. RAMKUMAR, JUDGE)

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